IN THE HIGH COURT OF JUDICATURE FOR RAJASTHAN
AT JAIPUR BENCH, JAIPUR

O R D E R

S.B. CRIMINAL REVISION PETITION NO. 304/2003

RATAN Vs. STATE OF RAJASTHAN & ORS.

DATE: 16.01.2007.

HON'BLE MR. K.S. RATHORE, J.

None present for the petitioner.
Mr. Ashwani Kr. Sharma, P.P. for the State.
Mr. Sanjay Sharma for the respondents.

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This revision petition under Section 397 r/w Section 401 Cr.P.C. is directed against the order dated 18.02.2003 passed by the Additional Sessions Judge (Fast Track), Hindauncity, District Karauli in Sessions Case No. 90/2001 (28/97), whereby the Additional Sessions Judge has rejected the applications filed by the petitioner-complainant dated 14.09.99 and 07.11.2000 under Section 319 Cr.P.C., against which the present revision petition has been preferred by the petitioner on the ground that as per the report a case was registered for the offences under Sections 147, 148, 149, 323, 324, 341 and 307 IPC against the accused-respondents. On account of the injuries sustained by injured Santoki, she died and thereafter

case under Section 302 IPC was added. The investigating agency after investigation filed charge-sheet against Chirmoli, Ramcharan, Banaysingh, Bhuru and Darmi under Sections 147, 148, 149, 323, 324, 341, 326, 307 and 302 IPC, but against Magan, Rupsingh, Natholi, Ramodi, Sampati, Omvati, Guddi and Munni aforesaid charges have not been framed, therefore, application under Section 319 Cr.P.C. was filed by the complainant-petitioner to proceed against these persons also namely Magan, Rupsingh, Natholi, Ramodi, Samapati, Omvati, Guddi and Munni. The Additional Sessions Judge after considering all the aspects, prima-facie has not found any case against the aforesaid persons and, therefore, the applications preferred by the petitioner dated 14.09.99 under Section 319 Cr.P.C. and dated 07.11.2000 have been rejected.

Having gone through the averments made in the revision petition and after hearing learned Public Prosecutor for the State as well as learned counsel for the respondents and upon careful perusal of the evidence of the witnesses adduced as also the impugned judgment dated 18.02.2003 passed by the Additional Sessions Judge (Fast Track), Hindauncity, I find no illegality in the impugned judgment and the same requires no interference whatsoever by this Court.

Consequently, the revision petition fails and the same is hereby dismissed.

The trial Court be informed accordingly to proceed with the trial. Record, if received, be sent back forthwith.

(K.S. RATHORE),J.

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